

U.S. Department of the Interior
Bureau of Land Management
Carson City District Office

**CATEGORICAL EXCLUSION
ENVIRONMENTAL REVIEW AND APPROVAL**

Project Lead: Arthur Callan

Field Office: Sierra Front

Lead Office: Sierra Front

Case File/Project Number: LLNVC02000-14501

Applicable Categorical Exclusion: 516 DM 11.9 H. Recreation Management (1): "Issuance of SRP's for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan."

NEPA Number: DOI-BLM-NV-C020-2014-0007-CX

Project Name: Tahoe Fly Fishing Outfitters

Project Description: A Special Recreation Permit (SRP) renewal has been submitted by Tahoe Fly Fishing Outfitters to conduct guided fly-fishing day trip outings to various waters in Alpine County, CA using BLM lands near Summit Lake, Indian Creek Reservoir (ICR), and the East Fork of the Carson River (EFCR) near and downstream of Hangman's Bridge. Guided day trips would be conducted throughout the year. The applicant's proposal reflects the same scope as their recently expired five-year SRP (NVC02-09522) on file with the Carson City District. The proponent would like to renew their SRP for another five years.

The majority of the outings would be conducted along the EFCR. A couple of trips a year may be conducted at Summit Lake and/or ICR. The average number of participants per guided trip is two, with a range of 1-3 participants per guide. All guides are required to have a commercial fishing guide permit issued by the California Department of Fish & Game. TFFO averaged 110 participants a year under their previous SRP.

The guides teach customers to fly fish using mandatory catch-and-release practices. The guides teach Leave No Trace principles including Pack It In - Pack It Out concepts. Access to waters would be via existing hiking trails. Permittee would utilize existing parking areas at Hangman's Bridge (after the river raft season) and on county lands near the airport (EFCR access), Curtz Lake (Summit Lake access) and the east side parking lot at ICR.

Does the project include new surface disturbing activities? Yes No

Is the project located within preliminary general habitat for sage-grouse? Yes No

Is the project located within preliminary priority habitat for sage-grouse? Yes No

Is the project located within proposed critical habitat for the bi-state sage-grouse? Yes No

Applicant Name: Victor Babbitt

Project Location (include Township/Range, County): T 10 N, R 20 E, S. 3, 4, 8, 9, 10, 15, 22;
Alpine County, CA

BLM Acres for the Project Area: Approximately 1.25 acre (~2 linear miles x 5 foot average width walking corridor).

Land Use Plan Conformance: Desired Outcomes, REC-2, "Provide a wide range of recreation opportunities on public lands under management by the Carson City Field Office."

Name of Plan: NV – Carson City RMP.

Screening of Extraordinary Circumstances: The following extraordinary circumstances apply to individual actions within categorical exclusions (43 CFR 46.215). The BLM has considered the following criteria:

<i>If any question is answered 'yes' an EA or EIS must be prepared.</i>	YES	NO
1. Would the Proposed Action have significant impacts on public health or safety? (project lead/P&EC)		X
2. Would the Proposed Action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds (EO 13186); and other ecologically significant or critical areas? (wildlife biologist, hydrologist, outdoor recreation planner, archeologist)		X
3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]? (project lead/P&EC)		X
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (project lead/P&EC)		X
5. Would the Proposed Action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? (project lead/P&EC)		X
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (project lead/P&EC)		X
7. Would the Proposed Action have significant impacts on properties listed, or eligible for listing, on the NRHP as determined by the bureau or office? (archeologist)		X
8. Would the Proposed Action have significant impacts on species listed, or proposed to be listed, on the list of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? (wildlife biologist, botanist)		X
9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment? (project lead/P&EC)		X
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? (project lead/P&EC)		X
11. Would the Proposed Action limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)? (archeologist)		X
12. Would the Proposed Action contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)? (botanist)		X

CONCLUSION: Based upon the review of this Proposed Action, I have determined that the above-described project is a categorical exclusion, in conformance with the LUP, and does not require an EA or EIS.

Approved by:

ACTIVE FOR


Leon Thomas
Field Manager
Sierra Front Field Office

3-7-2014
(date)

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal **must also** be filed with the Bureau of Land Management at the following address:

Leon Thomas, Sierra Front Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, electronically filed appeals will therefore not be accepted.